

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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U.S. BANK NATIONAL ASSOCIATION, as
Trustee for the Registered Holders of Wachovia
Bank Commercial Mortgage Trust, Commercial
Mortgage Pass-Through Certificates, Series
2006-C28, acting by and through its Special
Servicer, CWCAPITAL ASSET
MANAGEMENT LLC,

Case No. 12-cv-09412-SAS

Plaintiff,

-against-

DEXIA REAL ESTATE CAPITAL MARKETS
f/k/a ARTESIA MORTGAGE CAPITAL
CORPORATION,

Defendant.

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**JOINT MOTION FOR EXTENSION TO COMPLETE DEPOSITIONS
AND SERVE EXPERT REPORTS**

Plaintiff U.S. Bank National Association, as Trustee for the Registered Holders of Wachovia Bank Commercial Mortgage Trust, Commercial Mortgage Pass-Through Certificates, Series 2006-C28, acting by and through its Special Servicer, CWCapital Asset Management LLC (the “Trust”) and Defendant Dexia Real Estate Capital Markets f/k/a Artesia Mortgage Capital Corporation (“Dexia”), submit this joint motion for an extension of time to serve expert reports and to complete depositions. In support, the Trust and Dexia state as follows:

1. On June 14, 2013, the Court entered its Scheduling Order in this matter. (Doc. 17). The Order requires expert disclosures to be completed by December 1, 2013 and sets the close of discovery as February 1, 2014. The Order can also be interpreted as requiring depositions to be completed by November 30, 2013.

2. Counsel for the parties wish to extend the time for serving expert reports up to and including January 3, 2014 and to have the Court set the time for completing depositions up to and including January 31, 2014. No other dates, including those for the submission of dispositive motions and for the close of discovery, are affected by this Motion.

3. Neither party has previously sought an extension of these deadlines, the extension of these deadlines is not anticipated to alter the current trial setting, and the purpose of this Motion is not to hinder or delay the proceedings or to prejudice any party.

WHEREFORE, the Parties jointly request that they be allowed up to and including January 3, 2014 for serving expert reports and up to and including January 31, 2014 to complete depositions.

Dated: November 12, 2013.

Respectfully submitted,

VENABLE LLP

/s/ Heather Deans Foley

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CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of November, 2013, the foregoing *Joint Motion for Extension to Complete Depositions and Serve Expert Reports* was filed using the Court's CM/ECF system which sent notice of such filing to all counsel of record.

/s/ David D. Ferguson